

# **EXHIBIT A**

THE COURT OF COMMON PLEAS OF BUCKS COUNTY

Danielle Taylor.           )  
(Plaintiff)                 )  
                                      )  
Vs.                         )  
                                      )  
LSAC                     )  
(Defendant)             )

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**COMPLAINT**

**I. PARTIES**

1. Plaintiff is Danielle Taylor with address of 3622 Old Silver Hill Road, Suitland-Silver Hill, MD 20746, USA
2. Defendant is LSAC, also known as Law School Admission Council with address of 662 Penn Street, Newtown PA 18940, USA

**II. FACTS**

LSAC is the one and only provider for law school applications and LSAT assessments. In the United States of America, if you are seeking to earn a Juris Doctor, you must go through LSAC. The LSAT is a test required for most, if not all, Juris Doctor programs. In September 2024, I contacted LSAC about an LSAT score that I earned several years ago. My last contact to LSAC was November 7, 2024.

I've been suffering from a disability for several years. I shared with LSAC staff that I've been experiencing severe emotional distress for several years. I also shared that my ability to use vocal speech is impaired to the point of needing to converse in writing or meet in-person.

I contacted LSAC about a policy for the LSAT test score. This policy governs the life of a score. The policy is not stagnant and has changed over the years. According to LSAC's present policy, the LSAT score I earned several years ago has expired.

I asked about reasonable accommodations for this policy. I wanted to know if LSAC would engage in the ADA interactive process with me. However, LSAC was not willing to discuss any reasonable accommodations on the policy.

Over the span of a couple months , I exchanged emails with LSAC staff. On several occasions, the staff insisted I call them on the phone, completely disregarding the fact that I told them my ability to use vocal speech is diminished. I repeatedly told them I could not call.

LSAC staff repeatedly insisted that I call them over and over again. This made my efforts in asking for a reasonable accommodation needlessly difficult. It also felt like intentional humiliation because the LSAC staff continued to insist that I call. There is no legitimate reason for LSAC staff to repeatedly instruct me to call in response to me saying 'hey I have a disability and cannot call you'. In addition to being stressful, my communications with them were needlessly drawn out. The whole exchange was embarrassing.

I sent LSAC simple questions and they should have answered the questions with a few exchanges. Or at least they could have connected me with a proper contact. Instead, it took months of back and forth. I had to tell LSAC numerous times that I could not call, as they continued to insist that I call.

LSAC staff said they would not consider any accommodations at all for their policy on life of the LSAT score. The staff took the position that there was no need for an interactive process because they wouldn't consider any accommodations. I told the LSAC staff that I would file a

lawsuit if they wouldn't even consider any ADA accommodation. The LSAC staff stopped answering me even though I followed up.

The last time I wrote to LSAC staff, I asked the matter to be escalated because I felt there was a legal violation. The LSAC website has a section where you can request accommodations but only for the day of the test itself. This section of accommodations only accepts complaints for previously authorized accommodations, or rejections for accommodations on the day of the test.

It's demoralizing and extremely stressful because LSAC is such an important entity. As an organization that administers standardized tests for law school admissions, LSAC has a special responsibility to adhere to the law. LSAC is essentially guardian to legal education in the United States and Canada. LSAC controls more than the qualifying exams, they control the whole application process. If you want a JD, you have to go through LSAC.

I asked LSAC about alternatives on having to retake the LSAT as I'd already taken it. For example, I asked if there was any way to recertify through a writing sample. I also asked if I could attend a course, similar to how practicing attorneys complete CLEs to maintain bar status. Or, if there was something else I could do. The staff told me LSAC would not consider or offer any alternatives, and they would not waive any new fees.

I've already spent a lot of money preparing for the LSAT when I took it originally. I took a prep

course, and purchased at least a dozen official LSAT practice tests. I also paid all test fees and Processing fees for being a candidate. It's a big investment in terms of money.

The score I've already earned is moderately competitive and would gain me admission to law schools in any geographical region of the United States or Canada. Taking the LSAT again is excessively burdensome.

The lack of consideration for ADA accommodations in the LSAC policy violates the law. I'm not saying that LSAC should have to honor any score, for any amount of time, for any reason at all. But they must be willing to at least consider an accommodation to this policy for a disability. I was disregarded completely.

### **III. CAUSES OF ACTION**

#### **1. 42 U.S. Code § 12182**

- a. (b)(1)(D)Administrative methods An individual or entity shall not, directly or through contractual or other arrangements, utilize standards or criteria or methods of administration—
  - (i)that have the effect of discriminating on the basis of disability;
- b.
  - (b)(2)(A)(i)the imposition or application of eligibility criteria that screen out or tend to screen out an individual with a disability or any class of individuals with disabilities from fully and equally enjoying any goods, services, facilities, privileges, advantages, or accommodations, unless such criteria can be shown to be necessary for the provision of the goods, services, facilities, privileges, advantages, or accommodations being offered

LSAC's method of administration for the Life of an LSAT score has the effect of discriminating on the basis of disability. By not even considering reasonable accommodations for the policy, LSAC is blatantly violating the ADA.

For example, consider person X, who takes the LSAT but decided to defer applications for a number of years, not because of any medical reasons. Also consider person Y, who takes the LSAT but subsequently suffers from some disability and defers applications for the same amount of time as person X. Person X and person Y decide it's time to send in their applications at the same time. However, to their dismay, they learn of LSAC's policy making their scores invalid.

Doesn't the ADA compel LSAC to at least consider an accommodation in person Y's scenario?

Yes! This example applies to 42 U.S. Code § 12182(b)(1)(D).

For another example, consider individual "A", who is not disabled, goes into law school, and gets dismissed, then decides to reapply as a new, first-year student at different university within the time period allowed by LSAC's validity policy for the LSAT score. Also Consider individual "B", someone with a disability who is debilitated for several years. This person takes the LSAT, goes to law school, gets dismissed but cannot use the score again because they are suffering for the following years. This example applies to 42 U.S. Code § 12182(b)(2)(A)(i)

- c. (b)(2)(A)(ii) a failure to make reasonable modifications in policies, practices, or procedures, when such modifications are necessary to afford such goods, services, facilities, privileges, advantages, or accommodations to individuals with disabilities, unless the entity can demonstrate that making such modifications would fundamentally alter the nature of such goods, services, facilities, privileges, advantages, or accommodations.

The staff took the position that there was no need for an interactive process because they wouldn't consider any accommodations on the policy. I told the LSAC staff that I would file a lawsuit if they wouldn't even consider any accommodation. The LSAC staff stopped answering me even though I followed up. I asked if they would escalate the inquiry and the least they could have done was connect me with someone in their ADA team.

## 2. 42 U.S. Code § 12189

Any person that offers examinations or courses related to applications, licensing, certification, or credentialing for secondary or postsecondary education, professional, or trade purposes shall offer such examinations or courses in a place and manner accessible to persons with disabilities or offer alternative accessible arrangements for such individuals.

I asked LSAC about alternatives on having to retake the LSAT as I'd already taken it. For example, I asked if there was any way to recertify through a writing sample, the same way practicing attorneys take CLEs to maintain bar status. Or, if there was something else I could do. The staff told me LSAC would not consider or offer any alternatives.

### 3. Negligence

Pennsylvania is a state with negligence laws defined in common law. The basics of negligence are that (1) someone has a legally defined duty and (2) that duty was not met. There's also an amplifier is the party with the duty has a special responsibility.

LSAC is the one and only provider for law school applications as it relates to LSAT assessments. LSAC has more than a duty- LSAC has a special duty to ensure administration is conducted fairly and without discrimination. LSAC breached their duty in two distinct ways. First, by taking the position that LSAC doesn't even need to consider or participate in a reasonable accommodations process for the policy 'Life of the LSAT score'. Here, LSAC refused ADA accommodations to me without a legitimate basis.

Second, the impact of LSAC'S unofficial policy that no accommodations whatsoever will be considered for the LSAT score validity period. LSAC'S relationship as a gatekeeper to the LSAT and the law school admission process generally- these create a special relationship with heightened duties of care. LSAC'S actions are egregious when examined under the scope of their special relationship to legal education around the globe. It's a basic duty that entities have to at least consider the accommodation, especially education entities, and especially, especially education leaders. LSAC'S unofficial policy that their LSAT validity policy is completely exempt from the interactive process of reasonable accommodations is substandard, and a dramatic departure beneath the letter and beneath spirit of the law.

LSAC'S actions have caused direct harm and damages to me. For one example, denial of access to education. My score was not the highest score possible but it was moderately competitive. I could gain admission to law schools in any geographical region of the United States or Canada.

Another example of damage to me is the emotional distress of trying to communicate with LSAC amidst their refusal to engage with me. On several occasions, the staff insisted that I needed to call on the phone, completely disregarding the fact that I told them my ability to use vocal speech was limited. I repeatedly told them I could not call and have a live conversation. LSAC staff repeatedly insisted that I call them over the phone. It made the interaction more difficult and embarrassing. The excessive amount of back and forth was also humiliating. They could have simply answered the questions with a few emails exchanges. I had to follow up on several occasions to get any answers at all. I had to email them more than 20 times, connect with multiple people, and they still didn't connect me with anyone who would discuss ADA accommodations with me.

Even just disclosing that I was suffering from a disability was difficult in itself. The fact that I kept having to repeat myself was so discouraging. It's demoralizing and extremely stressful because LSAC is such an important entity.

Another example of damages is the financial losses related to the filing of this lawsuit. The filing costs, the time spent preparing the actual documents, the opportunity cost of lost wages so I can attend to this.

#### **IV. PRAYER FOR RELIEF**

##### **1. Injunctive Relief**



Pursuant to the Americans with Disabilities Act as Amended, Section 12188(a)(1) provides for remedies under § 204(a) of the federal Civil Rights Act of 1964 (Civil Rights Act), 42 U.S.C. § 2000a-3(a). I therefore seek injunctive relief.

- Engage with me in good faith to assess whether LSAC can honor the LSAT score that I've already earned as a reasonable accommodation pursuant to ADA.
- Honor the LSAT score that I've already earned.

## 2. Actual Damages

To be calculated at the end of the litigation pursuant to. 42 Pa. C.S. § 7102.

## 3. Compensatory Damages

\$700,000  
42 Pa. C.S. § 7102.

Danielle Taylor

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Name and signature